

**To:** Gray, David[gray.david@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]; Distefano, Nichole[DiStefano.Nichole@epa.gov]; Tulis, Dana[Tulis.Dana@epa.gov]; Rupp, Mark[Rupp.Mark@epa.gov]; Stanislaus, Mathy[Stanislaus.Mathy@epa.gov]; Kopocis, Ken[Kopocis.Ken@epa.gov]; Garbow, Avi[Garbow.Avi@epa.gov]  
**From:** Coleman, Sam  
**Sent:** Wed 10/21/2015 1:36:45 PM  
**Subject:** RE: NM GKM Plan and CONG calls

I spoke to Sec Flynn last week (Wednesday) concerning the NM comments. I told him that we could find a reasonable method to fund a state led monitoring plan. I advised him that the CWA 106 proposal had been vetted and was the preferred approach. I asked that he discuss this with his staff and let me or our 6WQ staff know if there were any concerns. I also asked if he would provide EPA a copy of the draft state monitoring plan. He said he would provide the plan on Thursday at the latest. We retrieved the plan from their website yesterday. Finally we discussed that any EPA funding of a state led plan would be limited to elements that are supported by good science and fundable under statutory limitations and available funds. He said he understood and agreed. He requested a meeting with the Administrator or a designee sometimes during the first week of November. He did follow up with Mark Rupp with this request.

I followed up a couple of times via email before we saw the plan on the web yesterday.

**Samuel Coleman, P.E.,**

**Deputy Regional Administrator**

coleman.sam@epa.gov

**214.665.2100**

**214.665.3110 Direct**

**214.789.2016 Cell**



**From:** Gray, David

**Sent:** Wednesday, October 21, 2015 5:55 AM

**To:** Grantham, Nancy; Distefano, Nichole; Coleman, Sam; Tulis, Dana; Rupp, Mark; Stanislaus, Mathy; Kopocis, Ken; Garbow, Avi

**Subject:** NM GKM Plan and CONG calls

At the end of this email are notes from last night's meeting in Farmington. Sec Flynn was not present.

Also, Nicole and I fielded several congressional calls after NM contacted their offices yesterday. Primarily NM claims EPA has been unresponsive to their comment that we should not pursue a plan rather fund the states plan, monitoring should go longer (also supported by Navajo), questions about Oct 8 comment deadline, how comments are handled by EPA and status of our final long term plan. Do we have a timeline for its release? I understand field activities to implement it will start next week.

I expect more questions (and media inquires) about how we intend to handle NM plan now that it is public. I can draft a statement for review.

Below is a summary of the comments Jon Rauscher, Rob Cook and Monica Smith gathered as a result of the meeting and our conversations with Dennis McQuillan of NMED and Miriam Wamsley with NMDOH.

There were 50 - 60 citizens in attendance. A representative from the Farmington Daily Times was present for a short time. We did not speak nor identify ourselves during the meeting to others than NMED and Health Department.

NMED opened up by presenting the quick overview of the situation. The governor has committed \$750 K for the Emergency Response. NMED Sec Flynn has committed \$500K from the Hazardous Waste Management Emergency Fund. NMED is appointed as the lead. Some highlights of their opening presentation:

- NMED outlined their long-term plan and expressed that they considered their plan to be a more comprehensive and holistic approach. For instance, NMED did not feel comfortable backing EPA's Statement on Agriculture due to lack of comprehensive data and they could not be certain the statement was true. NMED has pictures of irrigation ditches with orange water in them in the State of New Mexico. Basically, need more data, too many unanswered questions.

- They presented a diagram of the watershed and stated the Animas was a gaining stream but sampling of wells influenced by surface water is warranted (Spring high flows). Thus far, no well appear to have been contaminated by the spill.

- Water table mapping project by Bureau of Geology (Stacy Timmons) due out – ballpark – December. Again, study shows gaining stream. NMED proposes to use this data in determining which wells are under the influence of surface water and should be included in the groundwater well sampling effort.

- Need to monitor or observe plants, fish, animals. Need to monitor fish for 3-5 years.

- Visual evidence metals are currently being reduced in the river. NMED stated they need mineralogical data. Will bind some metals and mobilize other metals. Metals sequestering in hyporheic zone.

- Department of Ag sampling Alfalfa. Some economic hardship experienced by Alfalfa producers (perception issue by consumers).

- No surface water and sediment sampling sites selected to date. Hoping to be informed through comment period and public meeting.

- Differences exist between NMED and EPA in terms of what benchmarks and thresholds should be used to evaluate data.

- Proposed Long Term Monitoring Plan is out for 30 day comment period

- NMED very willing to work with EPA and looks forward to future discussions/collaboration and suggests future face to face meetings to discuss differences in order to move forward.

- NMED objects to EPA's use of the recreational screening level for lead in sediment. Many of the properties back up to the river; thus children can be exposed.

- Though Game and Fish was not present at the meeting, NMED reported out that Game and Fish stated fish were safe to eat now. They will continue to monitor fish and macroinvertebrates.

- NMED stated there is currently nothing in the Animas River in New Mexico to cause a fish kill.

14 questions from about 8-9 different citizens. Some outcomes from the questions:

- NM State sampled soil in irrigation ditches. Results pending. Will sample again in December and in coming year to compare soil metal levels. Sampling will enable evaluation of metals concentrations in irrigation ditches (increasing, unchanged, etc).
- Concentrations of metals in suspended solids decreased downstream. Conclusion is that sediment settled out in Colorado but can be re-suspended and mobilized in the future.
- Navajo Nation reached out to NMED . NMED is working with Navajo Nation in terms of sharing data and future sampling.
- EPA has taken steps to control the source of future contamination (treatment at Gold King Mine).
- NMDOH is continuing to implement a Bio monitoring project state wide and is including the Farmington area in the study. NMDOH staff stressed to the group that the project was initiated prior to the GKM spill.
- NMED invited the community to participate in a citizens' advisory committee to participate in the 5 committees.